

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF RHODE ISLAND**

IN RE: MARC J. PEARLMAN,
Debtor

Case No. 04-12257-ANV
Chapter 7

**MOTION OF CITIBANK, N.A., AS TRUSTEE
FOR RELIEF FROM THE AUTOMATIC STAY**

Now comes CitiBank, N.A., assignee of Chase Manhattan Mortgage Corporation, assignee of Greenwich Mortgage Corporation (the “Lender”) and moves for relief from the automatic stay existing pursuant to 11 U.S.C. § 362 to permit the Lender and/or its successors and/or assigns to exercise its rights under its loan documents, including the power of sale contained in its mortgage dated December 24, 1998, and recorded with the Records of Land Evidence in the City of Cranston, Rhode Island, in Book 1063 at Page 830, and to exercise its possessory rights should the Lender and/or its successors and/or assigns become the successful purchaser at foreclosure, with respect to the real estate and improvements owned by Marc Pearlman and AnnaMaria A. Pearlman, and located at 6 Ralls Drive, Cranston, Rhode Island. The Lender also asks that, if the requested relief from stay is unopposed, it be granted a waiver of the ten day stay imposed by Fed. R. Bankr. P. 4001 (a)(3).

In support thereof, the Lender relies on the attached Memorandum.

CITIBANK, N.A., AS TRUSTEE

By Its Attorneys,

PARTRIDGE SNOW & HAHN LLP

/s/ Catherine V. Eastwood

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Dated: March 23, 2005

WITHIN TEN (10) DAYS AFTER SERVICE, TWENTY (20) DAYS FOR U.S. GOVERNMENT OFFICERS AND AGENCIES THEREOF, AND AN ADDITIONAL THREE (3) DAYS PURSUANT TO FED. R. BANK

P. 9006 (f) IF YOU WERE SERVED BY MAIL, ANY PARTY AGAINST WHOM THIS PAPER HAS BEEN SERVED, OR ANY OTHER PARTY TO THE ACTION WHO OBJECTS TO THE RELIEF SOUGHT THEREIN, SHALL SERVE AND FILE AN OBJECTION OR OTHER APPROPRIATE RESPONSE TO THIS PAPER WITH THE BANKRUPTCY COURT CLERK'S OFFICE, 380 WESTMINSTER STREET, 6TH FLOOR, PROVIDENCE, RHODE ISLAND 02903, (401)528-4477. IF NO OBJECTION OR OTHER RESPONSE IS TIMELY FILED WITHIN THE TIME ALLOWED HEREIN, THE PAPER WILL BE DEEMED UNOPPOSED AND WILL BE GRANTED, UNLESS (1) THE REQUESTED RELIEF IS PROHIBITED BY LAW; OR (2) THE REQUESTED RELIEF IS AGAINST PUBLIC POLICY; OR (3) IN THE OPINION OF THE COURT, THE INTEREST OF JUSTICE REQUIRES OTHERWISE.

CERTIFICATE OF SERVICE

I hereby certify that on the 23rd day of March, 2005, I electronically filed a Motion for Relief from the Automatic Stay with the Clerk of the Bankruptcy Court for the District of Rhode Island using the CM/ECF System. The following participants have received notice electronically: **Peter G. Berman, Esquire; Charles A. Pisaturo, Jr., Esquire; Leonard D. Pasquale, Esquire, Office of the U.S. Trustee;** and I hereby certify that a copy of the Motion for Relief from the Automatic Stay was served by regular, first class mail, to the following interested parties as set forth below:

Mr. Marc J. Pearlman
6 Ralls Drive
Cranston, RI 02920

Ms. AnnaMaria A. Pearlman
6 Ralls Drive
Cranston, RI 02920

Saunders Real Estate Corporation
c/o Melissa M. Horne, Esquire
Winograd Shine & Zacks, PC
123 Dyer Street
Providence, RI 02903

/s/ Catherine V. Eastwood